

## REMARKS

Claims 1-18 are pending.

Claims 1-18 are rejected.

Claim 1 is amended.

### **35 USC 102(b)**

Claims 1-18 are rejected under 35 USC 102(b) as being anticipated by Petrin et al., US 5,057,236.

The examiner believes the structure claimed under formula (1) in claims 1, 2, 3 and structure 2 of claim 11 to be encompassed by the markush structure given in col. 4, line 45 to end of col. and continued in col. 5, lines 1-25.

US '236 is directed to fluorescent whitener agents in combination with surfactants of the Type N-higher alkyl, N,N,N-lower alkylammonium salts. See col. 7, lines 7-32. N-higher alkyl is C8-C18. See col. 7, line 11.

US '236 teaches that these fluorescent whitener agents ion-pair with these quaternary surfactants generally survive better than the original fluorescent whitener agents in systems containing whitener and bleach. See col. 13, lines 15-20.

Applicants have amended claim 1 to require that M is selected from the group consisting of mono-, di, tri or tetra C1-C4 alkylammonium, mono and di- or tri-C2-C4-hydroxyalkylammonium.

As the purpose and point of the US '236 is the combination of fluorescent whitener agents in combination with surfactants of the type N-higher alkyl, N,N,N-lower alkylammonium salts, and the present claim limitations exclude such salts, there is now no overlap between US '236 and the presently claimed invention.

Furthermore, the present invention is also not obvious in light of US '236 as US '236 teaches that the presence of a N-higher, N,N,N-lower alkylammonium cation is clearly necessary in order to achieve a storage-stable composition comprising the fluorescent whitener.


Reconsideration and withdrawal of the rejection of claims 1-18 is respectfully solicited in light of the remarks and amendments *supra*.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 1-18 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

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Respectfully submitted,

  
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